

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARK ANTHONY,  
Petitioner,

v.

JOHN GARZA,  
Respondent.

Case No. 17-cv-07020 NC (PR)

**ORDER OF TRANSFER**

Petitioner, a state prisoner proceeding *pro se*, seeks federal habeas review of the execution of his state sentence pursuant to 28 U.S.C. § 2254. In the underlying federal habeas petition, Petitioner challenges the California Board of Parole Hearings' decision denying him parole.

Venue is proper in a habeas action in either the district of conviction or the district of confinement. 28 U.S.C. § 2241(d). But the district of confinement is the preferable forum to review the execution of a sentence. *See* Habeas L.R. 2254-3(a); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). Because California City Correctional Facility lies within the Eastern District of California, the Court orders that, pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice, this petition be transferred to the United States District Court for the Eastern District of California.

Accordingly, this case is TRANSFERRED to the United States District Court for the Eastern District of California, the district in which Petitioner is currently confined. *See*

28 U.S.C. § 1404(a); Habeas L.R. 2254-3(b)(1). The clerk shall terminate any pending motions and transfer the entire file to the Eastern District of California.

**IT IS SO ORDERED.**

DATED: January 18, 2018

  
NATHANAEL M. COUSINS  
UNITED STATES MAGISTRATE JUDGE